

Message Text

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STADIS/////////////////////////////////
FOR ATHERTON ONLY FROM VELIOTES

E.O. 11652: GDS

TAGS: MASS, MO, US

SUBJECT: MOROCCAN OPTIONS PAPER

1. THE MOROCCAN OPTIONS PAPER HAS BEEN REDRAFTED IN ACCORDANCE WITH YOUR PRE-DEPARTURE INSTRUCTIONS. JIM MICHEL HAS LOOKED IT OVER AND MADE SURE OUR DESCRIPTIONS OF THE LAW AND LEGAL IMPLICATIONS ARE CORRECT AND THAT OUR RECOMMENDATION IS CONSISTENT WITH APPROPRIATE STATUTES. HOWEVER, HE HAS NOT CLEARED THE PAPER FOR L IN ITS PRESENT FORM, AND WE HAVE NO OTHER CLEARANCES OUTSIDE NEA.

2. THE TACTIC WE HAVE RECOMMENDED DEALS ADEQUATELY WITH OBJECTIONS TO MOROCCAN USE OF U.S. ARMS BASED ON WHERE THEY ARE USED. WE STILL WOULD BE VULNERABLE TO CRITICISM OF THE PURPOSE FOR WHICH THEY WILL BE USED. BOB FLATEN PRE-SECRET

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DICTS THE SELF-DETERMINATION ISSUE CERTAINLY WILL BE RAISED. OUR RESPONSE WILL BE THAT THE MOROCCANS ARE DEFENDING THEMSELVES AGAINST AN ALGERIAN-BACKED GUERRILLA MOVEMENT, AND WE WILL RELY ON PRO-MOROCCAN SENTIMENT TO LEND SUPPORT TO OUR LOGIC. IN ADDITION, WE WILL POINT OUT THAT AN EXERCISE IN SELF-DETERMINATION IS IMPRACTICAL IN THE MIDST OF A GUERRILLA WAR AND THAT WE ARE REMINDING THE MOROCCANS OF THEIR STATEMENTS THAT THERE COULD BE FURTHER CONSULTATION WITH THE SAHARAN POPULATION ON THE BASIS OF THE SPANISH CENSUS ONCE EXTERNAL ELEMENTS HAVE QUIT THE

SAHARA.

3. DURING BOB ANDERSON'S CONSULTATIONS ON THE HILL, SEVERAL MEMBERS RAISED THE SUBJECT OF MILITARY ASSISTANCE TO MOROCCO. SENATOR STONE SUGGESTED WE GIVE THE MOROCCANS ANY ARMS THEY NEED. MIKE VAN DUSEN ALSO WAS SYMPATHETIC TO THE MOROCCANS, ALTHOUGH NOT AS EXPLICIT AS STONE. BOB FLATEN REPORTS THE CONTRAST IN MOROCCAN AND ALGERIAN ATTITUDES TOWARD SADAT'S PEACE INITIATIVE IS A SUBSTANTIAL ASSET. HOWEVER, ITS VALUE WILL NOT HOLD INDEFINITELY, SO WE SHOULD TRY TO GET THE SECRETARY'S DECISION QUICKLY. IT IS OUR UNDERSTANDING THAT HE DID NOT REVIEW THE ISSUE PRIOR TO HASSAN'S ABORTED VISIT.

4. MEMO TO THE SECRETARY SUBJECT "MOROCCAN USE IN THE WESTERN SAHARA AND MAURITANIA OF U.S.-SUPPLIED MILITARY EQUIPMENT"

ISSUE FOR DECISION

WE NEED TO DECIDE HOW TO RESPOND TO THE MOROCCAN GOVERNMENT'S REQUEST TO OBTAIN FROM U.S. SOURCES MILITARY EQUIPMENT AND TRAINING FOR USE IN THE WESTERN SAHARA AND
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MAURITANIA. KING HASSAN'S SUPPORT FOR SADAT'S PEACE INITIATIVE MAKES IT OPPORTUNE TO SEEK CONGRESSIONAL CONCURRENCE AS SOON AS POSSIBLE, IF YOU DECIDE A POSITIVE RESPONSE IS DESIRABLE.

5. ESSENTIAL FACTORS

ON SEPTEMBER 13 THEN MOROCCAN FOREIGN MINISTER LARAKI GAVE YOU HIS GOVERNMENT'S REQUEST FOR ADDITIONAL U.S. MILITARY EQUIPMENT (ATTACHMENT 3). WE SUBSEQUENTLY LEARNED THIS EQUIPMENT WAS TO BE USED IN THE WESTERN SAHARA AND MAURITANIA. THE PRINCIPAL ITEMS ARE OV-10S, COBRA/TOW, AND ANTI-GUERRILLA TRAINING. DURING YOUR NOVEMBER 7 MEETING, YOU TOLD MOROCCO'S NEW FOREIGN MINISTER M'HAMED BOUCETTA THAT, WHILE THE U.S. WANTS TO BE AS RESPONSIVE AS IT CAN TO THE MOROCCAN GOVERNMENT'S REQUEST FOR ARMS AND TRAINING, PRACTICAL AND CONGRESSIONAL PROBLEMS PRECLUDED AN IMMEDIATE REACTION. THE MOROCCANS SUBSEQUENTLY DECIDED TO TRIPLE THEIR TROOP STRENGTH IN MAURITANIA BY DISPATCHING AN ADDITIONAL 5,000 SOLDIERS TO HELP THEIR BELEAGUERED ALLY. SOME U.S. EQUIPMENT MAY ACCOMPANY THESE REINFORCEMENTS.

THE MOROCCAN REQUEST POSES LEGAL AS WELL AS POLITICAL BRIEFLY, THE QUESTION IS WHETHER OUR SUPPLY OF TRAINING OR

EQUIPMENT FOR MOROCCAN USE AGAINST THE POLISARIO IN THE

WESTERN SAHARA AND MAURITANIA IS POSSIBLE UNDER THE PROVISIONS OF THE ARMS EXPORT CONTROL ACT AND THE TERMS OF OUR CLASSIFIED BILATERAL MILITARY ASSISTANCE AGREEMENT WITH MOROCCO. THE COMBINED CURRENT EFFECT OF THESE TWO DOCUMENTS IS TO RESTRICT THE USE OF AMERICAN-FURNISHED EQUIPMENT SOLELY TO THE DEFENSE OF THE KINGDOM OF MOROCCO. WE HAVE ACCEPTED MOROCCAN DE FACTO ADMINISTRATION OF THE SAHARA TERRITORY UNDER THE TRIPARTITE (SPAIN-MOROCCO-MAURITANIA) ACCORD OF 1975. BUT WE DO NOT RECOGNIZE
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MOROCCAN CLAIMS TO SOVEREIGNTY OVER SAHARA TERRITORY, WHICH WAS ACQUIRED WITHOUT AN EXPRESSION OF SELF-DETERMINATION THAT WOULD BE GENERALLY RECOGNIZED AS CONSISTENT WITH RELEVANT UNGA RESOLUTIONS.

TO OVERCOME TERRITORIAL ASPECT OF THE LEGAL PROBLEM, WE COULD AMEND OUR BILATERAL AGREEMENT VIA AN EXCHANGE OF NOTES TO ALSO PERMIT USE OF AMERICAN-SUPPLIED ARMS IN AREAS SUBJECT TO MOROCCAN ADMINISTRATIVE CONTROL AND IN NORTHWEST AFRICAN NATIONS WITH WHICH MOROCCO HAS COLLECTIVE DEFENSE ARRANGEMENTS. (MOROCCO HAS SUCH AN AGREEMENT WITH MAURITANIA.)

WITH REGARD TO WHETHER THE PURPOSE IS DEFENSIVE, IN OUR ORAL EXCHANGES WITH THE MOROCCANS, AS WELL AS IN OUR CONSULTATIONS WITH THE CONGRESS, WE WOULD NOTE THAT OUR ACTION IS INTENDED TO BE RESPONSIVE TO MOROCCAN DEFENSE REQUIREMENTS BUT DOES NOT REFLECT A CHANGE IN OUR OFFICIAL POLICY CONCERNING THE UNRESOLVED LEGAL STATUS OF THE SAHARA NOR OUR ADVOCACY OF A NEGOTIATED SETTLEMENT TO THE DISPUTE OVER THE FUTURE OF THE AREA. WE ALSO WOULD STATE OUR EXPECTATION THAT THERE WOULD BE FURTHER CONSULTATION WITH THE SAHARAN POPULATION CONCERNING ITS POLITICAL FUTURE ONCE PEACE HAD BEEN RESTORED IN THE WESTERN SAHARA. ON THIS BASIS, WE WOULD SEEK TO PERSUADE CONGRESS THAT THE INTENDED USE OF U.S. ARMS IS ONE CONSISTENT WITH OUR LAW, I.E., SELF-DEFENSE.

THE MOROCCAN GOVERNMENT RECENTLY WAS CRITICIZED SHARPLY BY AMNESTY INTERNATIONAL FOR ITS ALLEGED VIOLATIONS OF THE HUMAN RIGHTS OF ITS CITIZENS. AI CLAIMED THAT WITHOUT DUE PROCESS THERE HAVE BEEN EXTENSIVE ARRESTS, DETENTIONS AND EVEN EXECUTIONS OF PERSONS POLITICALLY OPPOSED TO THE
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PRESENT REGIME. AFTER INITIALLY HOTLY DENYING THE VALIDITY OF AI'S CHARGES, THE GOVERNMENT AMNESTIED 60 POLITICAL PRISONERS.

CONGRESS MUST BE INFORMED IF OUR AGREEMENT IS TO BE AMENDED TO PERMIT THE MOROCCANS TO OBTAIN MILITARY EQUIPMENT AND TRAINING FOR USE OUTSIDE THE MOROCCAN BORDERS WE RECOGNIZE. THE MOROCCANS WOULD HAVE THEIR CONGRESSIONAL SUPPORTERS--FOR THEY ARE FIGHTING AN EXTERNALLY-BASED GUERRILLA GROUP SUPPLIED WITH SOVIET ARMS BY THE ALGERIANS AND THE LIBYANS. IF FRENCH REPORTS ARE ACCURATE, SOME OF THE GUERRILLAS ACTUALLY ARE ALGERIANS IN DISGUISE. MOROCCAN ATTITUDES ON THE MIDDLE EAST ALSO ARE APPRECIATED BY ISRAEL'S FRIENDS ON THE HILL, WHO WOULD BE QUITE HELPFUL GIVEN HASSAN'S PUBLIC BACKING OF SADAT'S PEACE INITIATIVE. IT IS DOUBTFUL CONGRESS ACTUALLY WOULD BLOCK THE PROPOSED SALE. HOWEVER, THIS COULD HAPPEN. CERTAINLY, WE WOULD HAVE TO DEFEND PUBLICLY THE LEGALITY OF OUR INTENTIONS AND THEIR CONSISTENCY WITH HUMAN RIGHTS AND ARMS SALES RESTRAINT POLICIES. WE ALSO WOULD BE PRESSED TO MAKE CLEAR TO BOTH THE MOROCCANS AND THE CONGRESS THAT OUR ASSISTANCE WOULD NOT BE OPEN-ENDED OR INVOLVE THE ASSIGNMENT OF ADDITIONAL U.S. MILITARY PERSONNEL TO MOROCCO.

6. U.S. MEDIATION

AS YOU RECALL, YOU TOLD ALGERIAN FOREIGN MINISTER BOUTEFLIKA YOU WOULD REFLECT ON YOUR EARLIER DECISION THAT THE ARABS OR AFRICANS WOULD BE MORE APPROPRIATE INTERMEDIARIES THAN THE U.S. WE SUBSEQUENTLY RE-EXAMINED THE DESIRABILITY OF AN ACTIVE U.S. EFFORT TO FACILITATE A NEGOTIATED SETTLEMENT (ATTACHMENT 2). HASSAN ON NOVEMBER 11 ACKNOWLEDGED THAT THE U.S. WOULD BE AN ACCEPTABLE INTERMEDIARY. IN NEA'S OPINION, THE ONLY SETTLEMENT FORMULAS WE HAVE BEEN ABLE TO IDENTIFY PROBABLY ARE
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UNACCEPTABLE TO ONE OR MORE PARTIES. NEA THEREFORE CONTINUES TO BELIEVE DIRECT U.S. ENGAGEMENT IN PEACE EFFORTS IS UNDESIRABLE. A U.S. DECISION TO FURNISH THE ARMS REQUESTED BY MOROCCO MIGHT PREJUDICE OUR ACCEPTABILITY AS AN INTERMEDIARY SHOULD WE SUBSEQUENTLY DESIRE TO PLAY THIS ROLE. THE SUPPLY OF ARMS MIGHT ALSO MAKE THE SOVIETS LESS INCLINED TO PRESS THE ALGERIANS TO ACCEPT A COMPROMISE OR TO PUT SOME LIMITATIONS ON ALGERIAN/POLISARIO USE OF SOVIET ARMS IN THE SAHARA. HOWEVER, IF WE DID MAKE AN EFFORT TO HELP THE PARTIES REACH AN AGREEMENT, EITHER DIRECTLY OR INDIRECTLY, WE WOULD BE ON FIRMER GROUND REQUESTING CONGRESSIONAL CONCURRENCE IN THE ARMS SALE PROPOSAL. THE MOROCCANS HAVE EXPRESSED AGREEMENT IN PRINCIPLE TO AN OAU EXTRAORDINARY SUMMIT PROPOSED FOR MARCH IN CAIRO.

RESPONDING TO POPULAR CLAMOR AND ELECTION CAMPAIGN DYNAMICS, THE FRENCH GOVERNMENT SECRETLY IS CONSIDERING A STRIKE AGAINST POLISARIO FORCES IN MAURITANIA. SHOULD

SUCH INTERVENTION COINCIDE WITH NEWS REPORTS OF U.S.
WILLINGNESS TO ALLOW THE MOROCCANS TO USE U.S. ARMS IN THE

SAHARA AND MAURITANIA, WE WOULD PROBABLY SHARE THE
CRITICISM THE FRENCH WILL RECEIVE FROM SOME AFRICANS, AND
THIS COULD IMPACT ADVERSELY ON OUR EFFORTS TO WIN AFRICAN
SUPPORT FOR OUR SOUTHERN AFRICAN INITIATIVES.

TO THE EXTENT SUPPORT FOR MOROCCO WAS VIEWED IN THIS
COUNTRY AS A LIABILITY IN OUR RELATIONS WITH ALGERIA,
THERE WOULD BE CRITICISM THAT OUR POLICY WAS INCONSISTENT
WITH THE BALANCE OF OUR ECONOMIC INTERESTS. THERE
ALSO WOULD BE CONCERN THAT MOROCCO'S DOMINANCE IN THE
WORLD PHOSPHATE TRADE WOULD BE STRENGTHENED BY RABAT'S
OBTAINING PERMANENT CONTROL OF THE VAST DEPOSITS IN THE
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SAHARA.

THE COUNTERWEIGHT TO THESE FACTORS IS OUR CLOSE RELATION-
SHIP WITH KING HASSAN, WHO HAS BEEN SYMPATHETIC TO
AMERICAN INTERESTS THROUGHOUT HIS REIGN AND HAS GIVEN US
STRONG SUPPORT ON MIDDLE EASTERN AND AFRICAN PROBLEMS
IMPORTANT TO THE U.S. WITHIN THE THIRD WORLD, HE HAS
BEEN ALMOST UNIQUELY COOPERATIVE IN MILITARY AND INTELLI-
GENCE MATTERS, E.G., PERMITTING US TO MAINTAIN BASES IN
MOROCCO AND TO SCHEDULE REGULAR VISITS BY NUCLEAR-POWERED
WARSHIPS. HE PARTITIONED THE SAHARA WITH MAURITANIA TO
REPOSSESS TERRITORY MOST MOROCCANS BELIEVE WAS STRIPPED
FROM MOROCCO DURING THE COLONIAL ERA. THE MOVE WON HIM
UNIVERSAL DOMESTIC ACCLAIM, BUT FAILURE TO HOLD ON TO THE
AREA COULD COST HIM HIS THRONE. HE KNOWS HIS REQUEST
POSES PROBLEMS FOR US. BUT HE EXPECTS US TO OVERCOME
THESE OBSTACLES. SHOULD WE PROVE TOTALLY UNRESPONSIVE,
HIS DISAPPOINTMENT WILL CAST A SHADOW OVER BILATERAL
RELATIONS FOR SOME TIME TO COME.

OUR RESPONSE TO THE MOROCCANS ALSO WILL IMPACT ON U.S.
RELATIONS WITH MODERATE GOVERNMENTS IN THE MIDDLE EAST AND
AFRICA. FROM TEHRAN TO KINSHASA THERE ARE CHIEFS OF STATE
WHO SYMPATHIZE WITH HASSAN'S CHARGES THAT THE POLISARIO IS
A VEHICLE FOR THE EXTENSION OF SOVIET INFLUENCE IN AFRICA.
THE IRANIAN, EGYPTIAN, SAUDI, SENEGALESE, IVORIAN, AND
MANY OTHER GOVERNMENTS WILL INTERPRET A POSITIVE AMERICAN
RESPONSE AS A SIGNAL OF GREATER U.S. RESOLVE TO RESIST
WHAT THEY SEE AS SOVIET ADVENTURISM. A NEGATIVE AMERICAN
DECISION WOULD GIVE THE REVERSE IMPRESSION TO THESE
GOVERNMENTS.

7. THE OPTIONS

1. AUTHORIZE NEA, AF, AND H TO INFORM THE MOROCCAN,

MAURITANIAN, AND OTHER INTERESTED GOVERNMENTS, AS WELL AS
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THE CONGRESS, THAT THE UNITED STATES HAS DECIDED TO

RECOGNIZE MOROCCAN AND MAURITANIAN SOVEREIGNTY IN THOSE
PARTS OF THE WESTERN SAHARA ANNEXED BY MOROCCO AND
MAURITANIA. SIMULTANEOUSLY, AUTHORIZE NEA TO AMEND OUR
BILATERAL MILITARY ASSISTANCE AGREEMENT WITH MOROCCO TO
PERMIT THE USE OF AMERICAN-FURNISHED EQUIPMENT AND
TRAINING IN NORTHWEST AFRICAN STATES WITH WHICH MOROCCO
HAS COLLECTIVE SECURITY ARRANGEMENTS.

PRO

-- WOULD SATISFY THE DESIRES OF THE MOROCCAN AND
MAURITANIAN GOVERNMENTS FOR U.S. MORAL AND DIPLOMATIC
SUPPORT.

-- ALL THE ADVANTAGES OF OPTIONS 2 AND 3.

CON

-- IS THE OPTION WHICH WOULD PROVOKE MOST INTENSE CON-
GRESSIONAL OPPOSITION.

-- WOULD CONFLICT WITH THE POSITIONS OF THE UN, THE OAU,
AND ALL MEMBERS OF THE INTERNATIONAL COMMUNITY, EXCEPT THE
IVORY COAST, WHICH ALONE HAS RECOGNIZED MOROCCAN
SOVEREIGNTY.

-- ALL THE DISADVANTAGES OF OPTIONS 2 AND 3.

2. AUTHORIZE NEA TO AMEND VIA AN EXCHANGE OF NOTES OUR
CLASSIFIED MILITARY ASSISTANCE AGREEMENT WITH MOROCCO TO
AUTHORIZE MOROCCAN USE OF U.S.-FURNISHED MILITARY EQUIP-
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MENT NOT ONLY WITHIN THOSE BORDERS OF THE KINGDOM OF
MOROCCO RECOGNIZED BY THE UNITED STATES BUT ALSO (1) IN
OTHER AREAS WHERE THE U.S. ACKNOWLEDGES THE MOROCCANS
EXERCISE ADMINISTRATIVE CONTROL, AND (2) WITHIN THE TERRI-
TORY OF NORTHWEST AFRICAN STATES WITH WHICH MOROCCO HAS
COLLECTIVE DEFENSE AGREEMENTS. CONGRESS WOULD BE NOTIFIED
OF THIS ACTION IN ACCORDANCE WITH CASE ACT PROVISIONS.

3. A VARIANT OF THIS OPTION WOULD HAVE US CONSULT INFORM-
ALLY WITH SELECTED INFLUENTIAL MEMBERS OF CONGRESS
REGARDING OUR INTENTION TO AMEND OUR BILATERAL AGREEMENT
WITH MOROCCO. THE MERIT OF THIS ALTERNATIVE IS THAT IT

PERMITS A MORE GRACEFUL BACKDOWN IF CONGRESSIONAL OPPOSITION PROVES INTENSE. (BASED ON SOME PRELIMINARY SOUNDINGS, WE DO NOT BELIEVE THIS WOULD BE THE CASE.)

PRO

-- REMOVES THE LEGAL IMPEDIMENTS TO MOROCCAN USE OF U.S.-FURNISHED EQUIPMENT IN MAURITANIA AND RESOLVES THE TERRITORIAL ASPECT OF THE LEGALITY OF USE IN THE WESTERN SAHARA.

-- ENCOURAGES HASSAN'S COOPERATION AT A CRITICAL PERIOD IN DIPLOMATIC NEGOTIATIONS REGARDING THE MIDDLE EAST.

-- PROTECTS U.S. INTERESTS IN MOROCCO INCLUDING ACCESS OF THE SIXTH FLEET TO MOROCCAN PORTS AND MOROCCAN AGREEMENT FOR CONSTRUCTION OF A USAF SATELLITE TRACKING FACILITY.

-- SUPPLY OF EQUIPMENT, E.G., COUNTER-INSURGENCY AIRCRAFT, COULD IMPROVE THE MOROCCANS' ABILITY TO CONFRONT THE POLISARIO MILITARILY.

-- BOLSTERS THE BELEAGUERED MAURITANIAN GOVERNMENT, WHICH HAS STATED REPEATEDLY ITS WILLINGNESS TO TRADE DIPLOMATIC SUPPORT FOR U.S. MILITARY ASSISTANCE.

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-- HEARTENS OTHER MODERATES IN AFRICA AND THE MIDDLE EAST AT A TIME WHEN SOVIET ACTIVITIES IN ETHIOPIA AND ELSEWHERE HAVE PROVOKED CONCERN REGARDING AMERICAN RESOLVE.

CON

-- ENTAILS SOME RISK CONGRESS MAY REJECT THE PROPOSED ARMS TRANSFER, EMBARRASSING THE ADMINISTRATION, ANGERING HASSAN AND ALARMING MIDDLE EASTERN AND AFRICAN MODERATES.

-- STILL LEAVES THE U.S. VULNERABLE TO CHARGES THAT IT IS PERMITTING ITS ASSISTANCE TO BE USED FOR A PURPOSE NOT AUTHORIZED BY LAW (SEE ATTACHMENT 1).

-- PASSES UP THE OPPORTUNITY TO ENCOURAGE A NEGOTIATED SETTLEMENT, WHICH WOULD HOPEFULLY INCLUDE PLEDGES ON SELF-DETERMINATION, WHICH WOULD BE USEFUL IN RESPONDING TO CONGRESSIONAL OPPONENTS.

-- WOULD AGAIN INSPIRE POLITICAL CHARGES THAT THE ADMINISTRATION IS NOT LIVING UP TO ITS HUMAN RIGHTS AND ARMS TRANSFER POLICIES.

-- WILL LEAD CRITICS TO CHARGE THAT WE HAVE COMPROMISED OUR OFFICIAL POLICY OF NEUTRALITY REGARDING THE FINAL DISPOSITION OF THE TERRITORY.

-- BOLSTERS IN A TANGIBLE WAY MOROCCO'S ANNEXATION OF THE WESTERN SAHARA AND LEAVES US VULNERABLE TO THE CHARGE OF COOPERATING IN A DENIAL OF THE RIGHT OF THE SAHARAN PEOPLE TO EXERCISE SELF-DETERMINATION.

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-- MAY PREJUDICE OUR ACCEPTABILITY AS AN INTERMEDIARY, SHOULD WE SUBSEQUENTLY WISH TO EXERCISE THAT OFFICE.

-- SHOULD THE FRENCH UNDERTAKE MILITARY OPERATIONS IN MAURITANIA AT THE TIME THE SUPPLY OF AMERICAN ARMS FOR USE IN THE WESTERN SAHARA AND MAURITANIA BECAME PUBLIC, THERE COULD BE ADVERSE REACTION BY SOME AFRICAN GOVERNMENTS WHOSE COOPERATION WE NEED TO ACCOMPLISH OUR OBJECTIVES IN SOUTHERN AFRICA.

-- COULD PROVOKE AN ESCALATION IN THE FIGHTING SHOULD THE POLISARIO'S BACKERS PROVIDE THE GUERRILLAS WITH MORE SOPHISTICATED EQUIPMENT.

-- A PURELY MILITARY RESOLUTION APPEARS UNLIKELY.

-- WOULD STRAIN BILATERAL RELATIONS WITH THE ALGERIANS BUT NOT PROVOKE ALGERIAN IMPOSITION OF A PETROLEUM/LNG EMBARGO.

-- COULD LEAD THE VOLATILE LIBYAN REGIME TO RETALIATE AGAINST U.S. PETROLEUM COMPANIES.

4. TELL THE MOROCCANS THAT WE ARE EAGER TO STRENGTHEN OUR HISTORIC CLOSE AND FRIENDLY TIES BUT THAT WE HAVE SERIOUS LEGAL AND POLITICAL PROBLEMS WITH THE MOROCCAN REQUEST FOR ARMS TO USE IN THE WESTERN SAHARA. INFORM THE MOROCCANS THAT WHEN WE CONSULT WITH CONGRESS WE EXPECT TO HAVE PROBLEMS GAINING SUPPORT FOR WHAT WOULD APPEAR TO BE AN INDIRECT INVOLVEMENT IN ANOTHER GUERRILLA WAR, BUT THAT WE BELIEVE PUBLIC AND CONGRESSIONAL OPPOSITION WOULD DIMINISH WERE THEY PERCEIVED TO BE SUPPORTING A MEANINGFUL EFFORT TO ACHIEVE A NEGOTIATED SETTLEMENT.

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-- PUTS PRESSURE ON HASSAN TO WORK SERIOUSLY FOR A NEGOTIATED SETTLEMENT. AT LEAST BY IMPLICATION WOULD RAISE THE SELF-DETERMINATION ISSUE.

-- ACQUAINTS THE MOROCCANS WITH THE REALITY OF OUR POLITICAL AND LEGAL SITUATION AND IMPLIES A CAUSAL LINKAGE BETWEEN THEIR ACTIONS AND OUR ABILITY TO FULFILL THEIR REQUEST.

-- AVOIDS REQUIRING COMMITMENTS THE KING IS VERY UNLIKELY TO MAKE.
-- ENCOURAGES MOROCCAN BEHAVIOR WHICH MIGHT DISARM SOME CONGRESSIONAL OPPONENTS.

CON

-- SIDESTEPS THE ISSUE OF SELF-DETERMINATION WHICH IS THE BASIS FOR MUCH ANTICIPATED CONGRESSIONAL OPPOSITION.

-- ENTAILS RISK THAT CONGRESSIONAL CONSULTATIONS, WHEN WE CHOOSE TO UNDERTAKE THEM, WILL RESULT IN NEGATIVE FEEDBACK THEREBY FORECLOSING THE POSSIBILITY OF BEING MORE FORTHCOMING TO THE MOROCCANS UNTIL THERE IS PROGRESS TOWARD A NEGOTIATED SETTLEMENT.

-- IF CONGRESS AGREES TO THE SUPPLY OF ARMS, HAS MOST OF THE SAME DISADVANTAGES AS THE PREVIOUS OPTION.

5. TELL THE MOROCCANS WE WANT TO BE HELPFUL BUT THAT IT WOULD BE MORE PRUDENT TO RAISE WITH CONGRESS THE ISSUE OF THEIR ARMS REQUEST AFTER THEY HAVE RESPONDED AFFIRMATIVELY TO INTERNATIONAL EXPECTATIONS OF SELF-DETERMINATION IN THE SAHARA. IF THE MOROCCANS INDICATE THAT IT IS NOT POSSIBLE
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FOR THEM TO RESPOND AFFIRMATIVELY, TELL THEM IT WOULD NOT BE POSSIBLE FOR US TO RAISE THE ISSUE WITH CONGRESS.

PRO

-- MOROCCAN COMPLIANCE WITH THESE PRECONDITIONS WOULD GIVE THE ADMINISTRATION A MUCH BETTER CHANCE OF OBTAINING CONGRESSIONAL AND PUBLIC SUPPORT THAN ADOPTION OF OPTIONS 2 OR 3.

CON

-- WOULD DISAPPOINT THE KING, WHO WILL NOT AGREE TO ANY EXERCISE IN SELF-DETERMINATION WHICH COULD CALL INTO QUESTION HIS ANNEXATION OF THE SAHARA. IF INTERPRETED BY THE MOROCCANS AS A DISGUISED U.S. REFUSAL, WOULD ADVERSELY AFFECT BILATERAL RELATIONS, U.S. INTERESTS IN MOROCCO, AND OUR RELATIONS WITH OTHER AFRICAN AND MIDDLE EAST MODERATES.

-- IS IMPRACTICAL AS WAR AND THE DISPERSION OF THE POPULATION PRECLUDE MEANINGFUL CONSULTATION WITH THE SAHARAN

POPULATION.

-- WOULD NOT ACCOMMODATE THE OBJECTIVES OF THOSE WHO PERCEIVE THE MOROCCAN GOVERNMENT AS A HUMAN RIGHTS VIOLATOR.

6. SUSPEND ACTION ON THE MOROCCAN ARMS REQUEST WHILE A DIPLOMATIC SOLUTION TO THE SAHARA CONFLICT IS PURSUED BY MEDIATION. TELL THE MOROCCANS THEIR REQUEST REMAINS "UNDER REVIEW," SINCE WE BELIEVE IT WOULD NOT BE PRUDENT TO RAISE WITH CONGRESS THE ISSUE OF THE ARMS REQUEST UNTIL THE POSSIBILITY OF A NEGOTIATED SETTLEMENT HAS BEEN FURTHER TESTED.

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-- IN THE LONG TERM THE DISPUTE MUST BE SOLVED DIPLOMATICALLY. ALTHOUGH THE MILITARY CONTEST COULD ESCALATE THE VIOLENCE AND EXTENT, A PURELY MILITARY RESOLUTION APPEARS UNLIKELY.

-- SHOULD THE ALGERIANS REJECT MEDIATION EFFORTS, CHANCES WOULD BE BETTER FOR OBTAINING CONGRESSIONAL APPROVAL FOR A SUBSEQUENT LIBERALIZATION OF END USE RESTRICTIONS ON U.S. EQUIPMENT SUPPLIED MOROCCO.

-- PUTS LESS OF THE BURDEN FOR SUCCESS OR FAILURE OF A DIPLOMATIC EFFORT EXPLICITLY ON MOROCCO'S SHOULDERS THAN THE PREVIOUS OPTION.

CON

-- THERE IS, AT BEST, ONLY A MODEST HOPE THAT THE U.S. COULD FACILITATE A DIPLOMATIC SOLUTION OR THAT ANY PEACEFUL RESOLUTION WILL BE POSSIBLE SOON.

-- THE MOROCCANS QUICKLY WOULD PERCEIVE THAT WE WERE STALLING, AND STRAIN WOULD DEVELOP RAPIDLY IN OUR BILATERAL RELATIONS, WITH A CONSEQUENT ADVERSE EFFECT ON U.S. INTERESTS IN MOROCCO, AND ON OUR RELATIONS WITH OTHER AFRICAN AND MIDDLE EAST MODERATES.

7. INFORM THE MOROCCANS THAT AFTER CAREFUL EXAMINATION OF THEIR REQUEST, THE U.S. HAS DECIDED THE LEGAL AND CONGRESSIONAL BARRIERS TO COMPLIANCE ARE INSURMOUNTABLE.

PRO

-- AVOIDS THE DISADVANTAGES OF OPTIONS 1 AND 2.

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CON

-- PROVOKES A CRISIS IN U.S. RELATIONS WITH THE KING.
IMPACTS NEGATIVELY ON U.S. INTERESTS IN MOROCCO AND UNDER-
MINES HASSAN'S WILLINGNESS TO BE HELPFUL IN THE MIDDLE EAST

AT A CRUCIAL TIME IN DIPLOMATIC NEGOTIATIONS CONCERNING
THE FUTURE OF THE AREAS.

-- ALARMS AFRICAN AND MIDDLE EAST MODERATES BY GIVING THE
IMPRESSION WE ARE NOT WILLING TO RESPOND TO SOVIET-BACKED
"RADICAL" MILITARY ADVENTURES.

-- DOES NOT CURTAIL THE CONFLICT, WHICH HASSAN AND ANY
LIKELY SUCCESSOR WILL FIGHT DOGGEDLY, WITH THE ASSISTANCE
OF FRANCE AND ARAB MODERATES, AND THEREFORE DOES NOT
FOSTER THE "HUMAN RIGHTS" OF THE SAHARANS.

8. BUREAU POSITIONS

NEA BELIEVES A POSITIVE RESPONSE TO HASSAN'S REQUEST IS
REQUIRED TO PRESERVE THE PRIVILEGED U.S. POSITION WHICH
HAS ELICITED VERY VALUABLE MOROCCAN COOPERATION IN THE
PROMOTION OF AMERICAN DIPLOMATIC, MILITARY AND INTELLIGENCE
INTERESTS. NEA PREFERS THE APPROACH OF OPTION 3, WHICH
RESPONDS FULLY TO MOROCCO'S MILITARY ASSISTANCE NEEDS FROM
THE U.S. BUT DOES NOT INVOLVE RECOGNITION OF MOROCCAN
SOVEREIGNTY IN THE DISPUTED AREA OR ABROGATE U.S.
NEUTRALITY ON THE ISSUES IN DISPUTE OR ALTER OUR ADVOCACY
OF A NEGOTIATED SETTLEMENT. NEA PREDICTS A NEGATIVE
IMPACT ON OUR RELATIONS WITH MIDEAST AND AFRICAN MODERATES
IF OUR REPLY TO HASSAN IS PERCEIVED AS NEGATIVE.

L OPPOSES OPTIONS 1, 2 AND 3 AS BEING THE LEAST DEFENSIBLE
LEGALLY. L FAVORS OPTION 5, IN LIGHT OF ALL CONSIDERA-
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TIONS, EVEN THOUGH IT RAISES SOME LEGAL PROBLEMS. IO
ALSO PREFERS OPTION 5, WHICH IT BELIEVES IS MORE REALISTIC
BECAUSE MOROCCO WILL HAVE TO FIND SOME MEANS TO ACCOMMODATE
THE GROWING INTERNATIONAL SUPPORT FOR CONFIRMATION OF
SELF-DETERMINATION. AF FAVORS OPTION 5.

ACDA BELIEVES A POSITIVE RESPONSE TO THE MOROCCANS COULD
PROMPT ESCALATION OF THE SAHARA CONFLICT AND FAVORS
OPTION 6. S/P ALSO PREFERS THIS OPTION. HA FAVORS
OPTION 6, WITH THE PROVISIO THAT THE MOROCCANS ALSO WOULD
BE TOLD THERE WOULD BE NO FURTHER ACTION ON THEIR REQUEST
UNTIL THEY HAVE MADE A MORE FORTHCOMING RESPONSE TO
AMNESTY INTERNATIONAL'S CHARGES. NEA OPPOSES OPTION 6 IN

THE BELIEF THAT A NEGOTIATED SOLUTION IS PRECLUDED BY THE STILL UNRECONCILABLE BASIC OBJECTIVES OF ALGERIA AND MOROCCO.

9. RECOMMENDATIONS

THAT YOU AUTHORIZE NEA AND H TO INFORM KEY MEMBERS OF CONGRESS THAT THE ADMINISTRATION INTENDS TO AMEND THE BILATERAL MILITARY ASSISTANCE AGREEMENT WITH MOROCCO TO PERMIT USE OF U.S. MILITARY EQUIPMENT AND TRAINING IN THE WESTERN SAHARA AND MAURITANIA. THIS OPTION IS FAVORED BY NEA.

APPROVE DISAPPROVE

ALTERNATIVELY, THAT YOU AUTHORIZE NEA TO AMEND OUR BILATERAL MILITARY ASSISTANCE AGREEMENT TO PERMIT USE OF U.S. MILITARY EQUIPMENT IN THE WESTERN SAHARA AND MAURITANIA.

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APPROVE DISAPPROVE

ALTERNATIVELY, THAT YOU AUTHORIZE NEA, AF, AND H TO INFORM INTERESTED GOVERNMENTS AND THE CONGRESS THAT THE U.S. HAS DECIDED TO RECOGNIZE MOROCCAN AND MAURITANIAN SOVEREIGNTY IN THE WESTERN SAHARA. SIMULTANEOUSLY, AUTHORIZE NEA TO AMEND OUR MILITARY ASSISTANCE AGREEMENT WITH MOROCCO TO PERMIT USE OF U.S.-FURNISHED ARMS AND TRAINING IN THE WESTERN SAHARA AND MAURITANIA.

APPROVE DISAPPROVE

ALTERNATIVELY, THAT YOU AUTHORIZE NEA TO TELL THE MOROCCANS THAT WE WANT TO BE HELPFUL BUT THAT WE ANTICIPATE OPPOSITION WHEN WE CONSULT WITH CONGRESS ON THEIR ARMS REQUEST. TELL THE MOROCCANS WE BELIEVE CONGRESSIONAL OPPOSITION WOULD BE MUCH LESS SERIOUS IF THERE IS A MEANINGFUL EFFORT UNDER WAY TO ACHIEVE A NEGOTIATED SETTLEMENT. THIS OPTION IS FAVORED BY H AND PM.

APPROVE DISAPPROVE

ALTERNATIVELY, THAT YOU AUTHORIZE NEA TO TELL THE MOROCCANS THAT WHILE WE WISH TO BE HELPFUL, WE DO NOT BELIEVE IT WOULD BE PRUDENT TO RAISE WITH CONGRESS THE ISSUE OF THEIR ARMS REQUEST UNTIL THEY HAVE DEMONSTRATED THAT MOROCCO WILL RESPOND POSITIVELY TO INTERNATIONAL EXPECTATION OF GREATER SELF-DETERMINATION AND THEY HAVE REAFFIRMED THEIR INTEREST IN A NEGOTIATED SETTLEMENT. THIS OPTION IS FAVORED BY L, IO, AND AF.

APPROVE DISAPPROVE

ALTERNATIVELY, THAT THE DEPARTMENT SUSPEND ACTION ON THE MOROCCAN ARMS REQUEST AND ATTEMPT TO FACILITATE A DIPLOMATIC SOLUTION TO THE SAHARA CONFLICT. TELL THE MOROCCANS
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THEIR REQUEST REMAINS UNDER REVIEW SINCE WE BELIEVE IT

WOULD NOT BE PRUDENT TO RAISE WITH CONGRESS THE ISSUE OF THEIR ARMS REQUEST UNTIL THE POSSIBILITY OF A NEGOTIATED SETTLEMENT HAS BEEN FURTHER TESTED. THIS OPTION IS FAVORED BY ACDA, S/P, AND HA.

APPROVE DISAPPROVE

ALTERNATIVELY, THAT YOU AUTHORIZE NEA TO INFORM THE MOROCCANS THAT AFTER CAREFUL EXAMINATION OF THEIR REQUEST THE U.S. HAS DECIDED THE LEGAL AND CONGRESSIONAL BARRIERS TO COMPLIANCE ARE INSURMOUNTABLE.

APPROVE DISAPPROVE

ATTACHMENTS:

1. LEGAL ANALYSIS OF U.S. STATUTES AND TREATY OBLIGATIONS.
 2. STUDY OF POSSIBLE U.S. ROLE IN PROMOTING A NEGOTIATED SOLUTION.
 3. DESCRIPTION OF MOROCCAN ARMS REQUEST.
10. ATTACHMENTS BEING HANDCARRIED TO CAIRO BY SHERMAN. CHRISTOPHER

SECRET

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: Z
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
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Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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